affirmation

Ontario Human Rights Commission
Volume 6, Number 2
June 1985
Published by The Ontario Human Rights Commission

Minister calls for affirmative action

In February, the Ontario Human Rights Commission sponsored a highly successful conference for 140 leading business executives on the subject 'The Merit Principle in Action'. The participants related their experiences with affirmative action programs that their firms had established and they shared their perceptions of the commission's role with commissioners and staff. During the sessions, Vice-Premier Robert Welch addressed the audience and dealt with the subject of voluntary affirmative action. Here are some excerpts from his address:

Fifty-six per cent of Ontario women now work outside the home. But women in the work force earn only 63 per cent of what men do.

This wage gap is due in large part to the existence of what are often called 'job ghettos'. The majority of employed women are clustered in only 20 of the 500 occupational categories listed by the census. Women are concentrated in the sales, clerical and service fields, and this pattern has not changed much since the turn of the century.

The roots of the situation are complex. The limited educational and career choices women make, usually early in life, have often closed the doors to well-paying and responsible positions. Child care responsibilities have also had a detrimental effect on women's progress in the work force.

But systemic discrimination, intentional or inadvertent, has clearly contributed to the disadvantaged position of women. This is a problem that *you* are in a position to do something about.

...In the recent report of the federal Royal Commission on Equality in Employment, Judge Rosalie Abella used the term 'employment equity' to describe the goal we must pursue. I agree with that objective.

I also agree with Judge Abella that affirmative action programs are essential if we are to ensure employment equity. In 1974 Ontario became the first Canadian province to bring in affirmative action for women in the public service. And, in 1975, we became the first province to introduce affirmative action consultative services for the private sector.

continued on page 2

The Honourable Robert Welch, QC., then deputy premier of Ontario as well as Attorney General, gave the luncheon address at the commission's business conference. With him is Canon Borden Purcell, chairman, OHRC.

Mesures obligatoires: équité en matière d'emploi

Extrait du rapport de la Commission royale, par le juge Rosalie Silberman Abella

La Commission a conclu que les mesures volontaires sont insuffisantes pour contrer l'étendue et la persistance de la discrimination systémique dans les milieux de travail au Canada. Par conséquent, elle recommande que tous les employeurs réglementés par le fédéral soient tenus, de par la loi, de mettre en oeuvre des programmes d'équité en matière d'emploi.

Le juge Rosalie Abella, auteur du rapport.

La Commission s'est fait dire à maintes reprises que l'expression «action positive» était ambiguë et obscure. Pour bien des gens,l'expression «action positive» évoque des politiques interventionnistes du gouvernement, et cela suffit pour qu'ils réagissent très mal. Pour d'autres, toutefois, le genre et le degré d'intervention y sont pour beaucoup. Autrement dit, il n'y a pas trop de réticence à discuter de l'élimination des obstacles discriminatoires au travail, mais on se refuse à discuter «d'action positive» comme on l'entend aujourd'hui.

Cela étant, la Commission propose l'adoption d'une nouvelle expression, soit «équité en matière d'emploi», pour décrire les programmes canadiens visant à résorber la discrimination au travail. Aucun principe n'est sacrifié par le fait de troquer une expression dont la définition est remise en cause contre une autre vraisemblablement plus précise qui favorise un débat plus constructif.

Aux termes de la loi, les employeurs seraient obligés de concevoir et de maintenir des pratiques d'emploi visant à lever les obstacles discriminatoires au travail. La Commission ne recommande pas que des quotas soient imposés.

La Commission envisage l'équité en matière d'emploi comme un aspect des activités des employeurs ayant trait aux ressources humaines et à la planification stratégique et elle a recommandé que les employeurs aient la latitude nécessaire pour modifier leurs pratiques d'emploi. Des statistiques pertinentes et des

continued on page 4

New appointments announced

Before leaving office in January, Premier William Davis announced the following appointments as members of the Ontario Human Rights Commission for three years effective February 19, 1985: John Bennett, Sault Ste. Marie; Leslie Blake-Coté, Agincourt; Catherine L. Frazee, Toronto and R. Lou Ronson, Willowdale.

Mr. Bennett, employed with the Algoma Steel Corporation, is second vice-president of the Plummer Hospital Board and serves on the Sault College of Applied Arts and Technology Board of Governors.

Ms. Coté writes feature stories for various magazines and newspapers and works with Rogers Cable TV as a researcher, writer and reporter. She taught history and geography at the high school level from 1966 to 1973.

Ms. Frazee, currently the product standards co-ordinator for Esso Petroleum Canada, is a former member of the Canadian Paraplegic Association and has done volunteer work with a variety of community groups such as the Canadian Special Olympics for the Mentally Retarded and the Daybreak Community for Mentally Disabled Adults.

Mr. Ronson holds directorships with Bank Hapoalim, Constitution Insurance Company of Canada and Canada-Israel Chamber of Commerce. He is a former president of Canadian B'nai Brith and is chairman of the board of Workwear Corporation of Canada.

Important decision on marital status

by Thea Herman

Professor Peter Cumming rendered an important decision concerning the *Human Rights Code's* protection against discrimination on the ground of marital status.

The case involved Mrs. Rosemary Mark, who was employed as a housekeeper at Porcupine General Hospital. Her husband was employed by the same hospital as a maintenance person. In fact, he was the one who advised the maintenance supervisor that his wife was interested in the job, and she was accordingly hired.

However, the administrator of the hospital had a policy that a husband and wife should not work together in the same department, and he terminated Mrs. Mark's employment upon finding out that she had been hired. There was no objection to her work performance as a housekeeper.

Mrs. Mark filed a complaint with the Human Rights Commission, claiming that her right to equal treatment with respect to employment without discrimination because of marital status as provided by section 4(1) of the Ontario *Human Rights Code* had been contravened.

The *Human Rights Code* defines marital status as:

> 'the status of being married, single, widowed, divorced or separated and includes the status of living with a person of the opposite sex in a conjugal relationship outside marriage.'

The issue in this case was whether the protection against discrimination on the ground of marital status applies only to a person who is discriminated against because he or she has a particular marital status, or whether it extends to situations where a person is discriminated against because he or she has a relationship with a particular person. In this case, it was clear that Mrs. Mark was not being discriminated against because she was married. Rather, the discrimination was because she was married to a particular person, that is, to a co-worker.

This issue had been considered before by a board of inquiry dealing with a complaint under the previous *Ontario Human Rights Code*. In the case of *Cindy Bosi v. Township of Michipicoten and Zurby*, the chairman of the board of inquiry held that the prohibition against marital status discrimination did not extend to situations where a person is discriminated against because of his or her marriage to a particular person.

Professor Cumming, however, disagreed with this holding and stated that 'the fact that discrimination arises because of the "marital status" of a complainant with respect to a particular person, rather than simply because of the marital status of the complainant, should not matter.'

The board chairman accordingly concluded that Mrs. Mark had been discriminated against because of her marital status and that the evidence did not establish a reasonable and *bona fide* qualification to require that a husband and wife could not work together as members of the Maintenance and Housekeeping Department of the hospital.

The chairman also referred to section 23(d) of the *Human Rights Code*, which allows an employer to either hire or refuse to hire or promote or refuse to promote a spouse of an employer or employee. This exception did not apply to Mrs. Mark's situation since Mrs. Mark was dismissed from her job because of her relationship. The exception in 23(d) applies only to hirings or promotions.

The broad interpretation given by Professor Cumming to the scope of the prohibition against discrimination on the ground of marital status is a significant one.

Thea Herman serves on the staff of the Attorney General and was formerly counsel to the Ontario Human Rights Commission.

Minister calls for affirmative action

continued from page 1

Our program for government employees has achieved real success — and we are seeing solid progress. The number of women in occupational groups where they were previously underrepresented has been steadily increasing. The wage gap between men's and women's salaries has decreased throughout the government by over five per cent since our program began.

I emphasize that women have accomplished these gains *on the basis of merit*. Affirmative action does *not* involve hiring quotas, reverse discrimination or the promotion of unqualified people. Affirmative action is aimed at achieving employment equity and hiring the *best* person for the job.

The key first step is an employer's commitment to equal employment opportunity. This commitment must emanate from the top — it must start with you...

...We in government fully concur with Judge Abella that the take-up of affirmative action by employers must be accelerated. I urge each one of you, when you return to your offices, to take action to *guarantee* employment equity for women in your organizations. As a start, I would suggest you measure your policies against the elements of the proposed equal opportunity code.

Let's share a common determination to ensure justice, fairness and equity in the workplace....

As part of the commission-initiated, Ontario-wide celebrations of International Human Rights Day, a special commemorative document was signed by Dennis Flynn, Chairman, Metropolitan Toronto Council, proclaiming December 10 as Human Rights Day and December 10-16 as Human Rights Week.

In attendance were, from left to right: Metro Chairman Dennis Flynn; and from the commission, Toni Silberman, Executive Assistant — Public Affairs; George Brown, Executive Director; Canon Borden Purcell, Chairman.

In Appreciation

It is with deep regret that we acknowledge the departure of Dr. Albin Jousse and Rabbi Gunther Plaut—two of our senior commissioners, whose terms ended February 18, and of our legal counsel for over three years, Ms. Thea Herman.

Dr. Jousse, a member of the commission since June 13, 1979 has served his two terms with his characteristic dignity, compassion and wisdom. His expertise as a medical practitioner and leader in the field of rehabilitation medicine was of tremendous assistance, particularly in the commission's consideration of cases based on the new ground of mental and physical handicap.

Rabbi Gunther Plaut, vice-chairman, has held that position with the commission since February 19, 1978. Scholar, writer, lecturer, public servant and humanitarian, Rabbi Plaut's invaluable contribution to the commission was augmented by his role as editor of *Affirmation*, our widely circulated and well-received quarterly. He will continue in the latter capacity.

Thea Herman, appointed as the commission's first full-time, in-house legal counsel, has now joined the Policy Development Division of the Ministry of the Attorney-General. Ms. Herman's guidance was indispensable during the passage and subsequent implementation of the new *Human Rights Code*, and her legal advice throughout her tenure with us reflected her gentleness, ingrained sense of justice and humanity. A vital contributor to *Affirmation*, Ms. Herman will maintain close contact with the commission in her new position.

We will miss them, and wish them every success in their current and future endeavours.

Who may make a claim?

Professor Peter A. Cumming, sitting as a board of inquiry, recently ruled on an interesting point of law with respect to the former *Ontario Human Rights Code*.

At issue was the case of complainant T., who tried to transfer his lease for a business to another party. However, so it was claimed, the landlord refused to sanction the transfer because the new party was not white. Could Mr. T. lay a complaint of discrimination against the landlord because of someone else's race? (The new Code, in section 11, allows for it.)

Further, did the board have the power to award the complainant compensation for the loss he suffered because of the discrimination in respect of a third party? Citing an earlier case (Jahn vs. Johnstone, 1977), Professor Cumming answered both questions in the affirmative. That case dealt with a tenant who was prohibited by her landlord from inviting black persons into her home. The landlord was judged to have interfered with the renter's covenant of quiet enjoyment of her lease.

Similarly, says Professor Cumming, Mr. T.'s right to have his commercial leasehold interests assigned were restricted by his landlord on a ground prohibited by the Code, placing him in a worse position than other commercial tenants. The respondents cannot take refuge in that clause of the lease that allows them to arbitrarily refuse to consent to an assignment or sublet. The lease, and decisions made by the lessor in respect of his rights by the lease, must conform to the requirements of the Code.

The board therefore ruled that paragraph 3 (1) (b) of the former *Ontario Human Rights Code* made it unlawful for the landlord to refuse such consent if the operative ground for that refusal is a prohibited ground under the Code. In this situation it was the sole operative ground for the refusal to consent to an assignment.

In consequence, the board awarded damages, not only to the party discriminated against, but also to Mr. T., whose rights were deemed to have been infringed by the landlord by the discriminatory practices against a third party.

The ruling is under appeal.

Affirmation/Published quarterly by:
The Ontario Human Rights Commission

Editorial Office
c/o Ontario Human Rights Commission,
Queen's Park,
Toronto, Ontario M7A 1A2

ISSN 0228-5800

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Editorial

A royal commission reports

Judge Rosalie Silberman Abella is a distinguished Canadian citizen. Since her admission to the Bar of Ontario in 1972 she has practised law, has been a member of the Ontario Public Service Labour Relations Tribunal and was for five years (1975 to 1980) a commissioner of the Ontario Human Rights Commission. Subsequently, she became co-chairman of the University of Toronto Academic Discipline Tribunal, was appointed to the Ontario provincial court (Family Division), then was made a member of the Premier's Advisory Committee on Confederation, Ontario. She later became chairman of a study on access to legal services by the disabled, director of the Canadian section of the International Commission of Justice and a director of the Canadian Institute for the Administration of Justice. Since 1984 Judge Abella has been chairman of the Ontario Labour Relations Board.

No wonder, then, that this notable public servant's report on Equality in Employment should have aroused such widespread interest. For not only is the subject of great importance, but the judge's keen intellect and concern for the underprivileged were guarantees of an incisive investigation.

The first part of the report (a volume of studies commissioned by Judge Abella will follow) runs to nearly 400 pages, and its summary lists 117 recommendations. No one should be surprised that many of her suggestions will find spirited opposition, although it may be confidently predicted that many others will be embraced and eventually enacted. (A widely publicized study by Prof. Frances Henry on employment discrimination in Metro Toronto gives added emphasis to the need for change and progress.)

We recommend a close study of this report, which draws quite obviously on the judge's close knowledge of the human relations field. For those who wish to learn the highlights, a general summary of nine pages is available in both English and French. (See also French excerpts on page 1 of this edition of *Affirmation.*)

How much is a human being worth?

Some time ago it was reported from England that a family had been awarded about $10,000 in compensation for the accidental death of their son. In making the award, the judge said that the boy probably would have had a manual job when he grew up - unlike a boy from a rich family, who could expect to be educated and have a larger income - and that the relatively modest award was made because of modest expectations.

Judge Martin Tucker's judgment was, it must be admitted, based on a long-standing legal tradition. When a family loses a breadwinner, compensation is calculated by the earning capacity of the deceased, so that the death of a large industrialist would command a higher award than the death of an ordinary wage earner. If the compensation is to be calculated for a child, the question would arise whether or not the child, when grown up, would, in fact, have made a contribution to the household, and the award would be calculated accordingly. Judge Tucker's order was based on such judicial precedent. Of course, he worked on averages (as well as stereotypes, one might add), for he did not have any prophetic ability that might tell him whether the child would merely have followed in the family's economic patterns or would, perhaps, have broken out and become immensely wealthy.

All of which, of course, makes it clear that any attempt to equate a human life with money is impossible. People take out life insurance and choose an amount that they consider adequate at premiums they can afford. But nobody who has been bereft of a dear one is truly compensated when the insurance cheque arrives. Nothing can replace love and affection. Money will do many things, but its ability to dispense comfort is limited.

It appears to me that Judge Tucker's judgment must strike a disquieting chord in modern times, which have greater egalitarian aspirations than were customary in days when the common law was first developed. Parents no longer consider children as insurance policies for their old age, as perhaps once they did. Were they indeed only that, then the judge's order would at least have a framework (however outmoded and even repellent) in which to apply his reasoning. But we are long past that time and past that kind of society. Nowadays, all parents, from whatever class of life they come, have children because they want them (at least I will assume that for the sake of the argument), and because it is a natural and God-given impulse for human beings to perpetuate themselves by bringing a new generation into the world. Poor people's feelings are worth no less

continued on page 4

Chairman's corner

Jim Merrithew

Business conference

On February 7th of this year the Ontario Human Rights Commission hosted a one-day conference entitled 'The Merit Principle in Action'. It was attended by 145 chief executive officers and vice-presidents of major Ontario-based corporations.

The purpose of the conference was to provide a forum for the Ontario Human Rights Commission and the private sector to hold a dialogue on the topic of equal opportunity in employment and the benefits to business of taking a pro-active approach to human rights. I recognize the number of unique and often difficult challenges facing companies today as management attempts to adapt to major economic, social and political changes. Critical decisions have to be made on how best to manage available resources and how to survive and grow amidst uncertainty.

Our conference opened with welcoming remarks from the Minister of Labour, the Honourable Russell H. Ramsay. The morning session included a panel of business leaders; the Deputy Minister of Labour, Tim Armstrong; our legal counsel, Thea Herman, and myself speaking on the topics of 'Dispelling the Myths' and 'What the Chief Executive Officer Needs to Know From the Ontario Human Rights Commission'.

Business leaders on the panel provided a sampling of corporate success stories in which special programs, aimed at more frequent and better utilization of women, people with a handicap, native people and racial minorities, have benefited their companies in terms of productivity, morale and profits.

In my own remarks, I reiterated that businesses operate in a rapidly changing world. Progressive corporations have found that they must adapt to the new business and human resources environment or be left behind. A number of companies have responded by including quality of life and employment equity as clearly stated objectives. This includes issuing a human rights policy statement and developing written strategies and goals for the recruitment, hiring, promotion, training and equal treatment of women, minorities and handicapped persons. I also assured business that the Ontario *Human Rights Code* is based on the merit principle and that this principle and good business sense go hand in hand. Companies should hire, promote and terminate people based on individual qualifications, abilities and job performance.

At lunch, the Honourable Robert Welch spoke forcefully and eloquently about equal opportunity for women. His comments are covered elsewhere in this issue of *Affirmation.*

The afternoon's session was entitled 'What the Ontario Human Rights Commission Needs to Know From Business'. This provided an opportunity for us to hear business's concerns about implementing the Code and equal opportunity. Rabbi Plaut, our vice-chairman, closed the conference with the message that it is in the best interests of all of us to have harmony in the workplace, to utilize the merit principle and to work together to prevent complaints of discrimination.

The list of participants and attendees included representatives from Manulife, Imperial Oil, Magna International, Alcan, American Motors, A & P, Xerox, Carling O'Keefe, Honeywell, GM., Falconbridge, Goodyear, Heinz, Ralston Purina, Noranda, Kodak, Procter and Gamble, IBM., Miracle Food Mart, Maclean Hunter, Moore, Chrysler, CMA., Seagram, Canada Packers, Canadian Tire, Dofasco, Westinghouse, John Deere, INCO, Norcen, Pratt & Whitney, Rio Algom, Molson, VS, ITT, Kruger, American Can, George Wimpey, RCA and many others. The large attendance and the overwhelmingly positive and constructive comments I have received since then leave me with the firm conviction that the conference was very informative and useful.

It is my intention to continue to work closely with business, both large and small, in order to assist in developing special employment programs that provide equality of opportunity and to prevent acts of discrimination and harassment in the workplace.

Exchanging information at the recent business conference were Ms. Grete Hale, president of Morrison Lamothe, Inc. (left) and Mme. Marie Marchand, Ontario human rights commissioner.

Defining sexual harassment

In a decision handed down by Professor John D. McCamus, sitting as a board of inquiry, the nature and definition of sexual harassment were discussed.

The board drew parallels between Canadian and American law and referred in particular to a book by Professor Catherine MacKinnon, *Sexual Harassment of Working Women*, published by Yale University in 1979. The author distinguishes between two types of sexual harassment: *quid pro quo* harassment and abusive environment claims.

The first type of harassment, *quid pro quo* harassment, occurs when an employee is forced to make a choice between submitting to sexual demands or giving up an employment benefit. Situations in which a woman is threatened with dismissal or refused promotion unless she gives in to sexual demands are examples of this type of harassment. Inherent in this concept is the fact that the person doing the harassment is a person in a position of authority or power over the women. This type of harassment is spelled out in section 6(3) of the *Human Rights Code*, 1981, which provides that every person has a right to be free from,

> '(a) a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or
>
> '(b) a reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.'

The second type of harassment, abusive environment harassment, exists where female employees are persistently subjected to an intimidating, hostile or offensive working environment. Such an environment is not necessarily created by someone who has power over the employee (harassment can be by co-workers), although most of the complaints of harassment received by the commission involve claims against persons in positions of authority over the complainant.

This second type of harassment was also discussed in detail by the first Canadian board of inquiry to deal with a sexual harassment case, *Cherie Bell v. Ernest Ladas and Flaming Steer Steak House Tavern Inc.*

The board of inquiry in that case, Mr. O. Shime, stated:

> 'There is no reason why the law, which reaches into the workplace so as to protect the work environment from physical or chemical pollution or extremes of temperature, ought not to protect employees as well from negative, psychological and mental affects. . . .'

Abusive environment harassment is prohibited by virtue of section 6(2) of the *Human Rights Code*, 1981, which provides that:

> 'Every person who is an employee has a right to freedom from harassment in the workplace because of sex by his or her employer or agent of the employer or by another employee.'

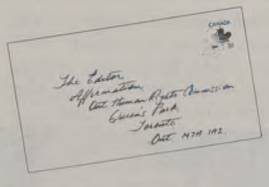
Harassment is later defined in the Code as 'engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.'

Professor MacKinnon describes this second type of harassment as follows:

> "Unwanted sexual advances made simply because she has a woman's body can be a daily part of a woman's work life. She may be constantly felt or pinched, visually undressed and stared at, surreptitiously kissed, commented upon, manipulated into being found alone, and generally taken advantage of at work - but never promised or denied anything explicitly connected with her job.'

Boards of inquiry have also discussed what is *not* sexual harassment. Decisions say that sexual harassment is not discussion of sexual matters in the workplace or jokes that are crude or in bad taste. Furthermore, as Mr. Shime stated in the *Flaming Steer* case, 'an invitation to dinner is not an invitation to a complaint.'

Our readers write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Dear Rabbi Plaut:

We find your article 'The Need to End Racism in Canada' published in *Affirmation*, Volume 5, Number 3, very appropriate for reproduction in our forthcoming issue of *Canadian Multicultural Mosaic Magazine* for January 1985. We shall be very grateful for your kind permission to do so. It has provided much food for thoughtful discussion among our students.

I am sending you a copy of the 1984, Volume 4 issue of *Canadian Multicultural Mosaic Magazine*. We find *Affirmation* an excellent publication and use it in my multiculturalism class to stimulate dialogue and perception in our classroom discussions.

Awaiting your kind permission.

Yours sincerely,

(Dr.) Kamala Bhatia
Co-ordinator
Multicultural Interaction Project
Editor: Canadian Multicultural Mosaic Magazine

How much is a human being worth?
continued from page 3

than those of rich ones, and, in that sense, there is no adequate sum that can be said to replace the worth of a human being. This is the problem Union Carbide will face in Bhopal, India, when insurance claims are being adjudged.

Insurance policies take an arbitrary number and apply it to the worth of anyone's hand, foot or arm. Judge Martin Tucker would have done better to have left his reasoning aside, taken any figure and let it go at that. Trying to justify his award by old-fashioned precedent is suggestive of Edwardian and Victorian times, and these methods can no longer fill our modern needs.

I am happy to say that in Ontario the *Family Reform Act* has recognized this lacuna in the law and has allowed compensation for pain and suffering as complements to whatever other compensation may, indeed, be justified. Judge Tucker apparently had no such recourse, and was caught between the desire to award something to the family and the impossibility of justifying the proper amount under the ancient rule.

As I read this story it occurred to me that, here, in a way, we have a replay of ancient perceptions, which changed as one culture superseded another. For instance, in the Code of Hammurabi, a Babylonian document of the second pre-Christian millennium, it says 'If a nobleman has destroyed the eye of a member of the aristocracy, they shall destroy his eye. If he has destroyed the eye of a commoner, he shall pay compensation of one mina of silver.'

The Hebrew Bible did away with such class distinctions and said (Exodus 22:12): 'He who fatally strikes a *person* shall be put to death.' Later on it specifies that even when it comes to slaves the human quality of the slave is to be respected: 'When a person strikes his own slave, male or female, with a rod and the slave dies there and then, the slave must be avenged' (verse 20). And the basic rule is contained in Leviticus 19:15: 'You shall not render an unfair decision; do not favour the poor or show deference to the rich; judge your neighbour fairly.'

One more quotation. In the book of Job (34:19) we read: 'God is not partial to princes; the noble are not preferred to the poor; for all of them are the work of God's hand.'

Quite evidently, England needs the kind of Family Reform Act that we have introduced in Ontario, the kind of legislation that narrows the gulf between the value of human life and its monetary expression.

Dr. Plaut has been editor of ***Affirmation*** *since its inception and was vice-chairman of the Ontario Human Rights Commission from 1978 to 1985.*

Conversations with non-speaking people

Conversations With Non-Speaking People is a publication sponsored by the International Project on Communication Aids for the Speech Impaired (IPCAS), a program of Rehabilitation International.

It is a series of biographical and autobiographical accounts of living with a speech impairment. The challenges these individuals have faced in social and vocational situations and the solutions they have found are revealed with humour, insight and sensitivity.

Technical aids, computers and communication systems such as Blissymbolics are considered as they have been applied to specific problems encountered by 15 people from Canada, Sweden, the United Kingdom and the United States.

As one of the participants, Michael Williams, says, '. . . the power of a person comes from his or her ability to manipulate language. Most importantly,' he continues, 'everyone has something to say.' *Conversations With Non-Speaking People* illustrates this beyond a doubt.

For further information and to order books, contact the IPCAS Secretariat, One Yonge Street, Suite 2110, Toronto, Ontario M5E 1E5.

Mesures obligatoires: equité en matière d'emploi
continued from page 1

lignes directrices sur l'équité en matière d'emploi formulées par l'organisme chargé de l'application de la loi sur l'équité en matière d'emploi seraient fournies aux employeurs pour les aider dans leur processus de planification. Les lignes directrices seraient élaborées dans le cadre de nombreuses consultations avec les représentants du monde des affaires, des syndicats et des quatre groupes à l'étude, à l'échelle nationale et régionale.

Quoiqu'il ne soit pas nécessaire d'énumérer dans la législation sur l'équité tous les domaines où les employeurs et les syndicats seraient censés, lorsqu'il y a lieu, de modifier leurs pratiques, les domaines principaux devraient être précisés. Mentionnons notamment les méthodes de recrutement et d'embauche, les pratiques en matière d'avancement, le salaire égal pour un travail de valeur égal, les régimes de pension et d'avantages, la salubrité des locaux et l'accès au lieu de travail, les examens et les évaluations professionnels, les aptitudes et les exigences professionnelles, les dispositions relatives aux congés parentaux, et les possibilités de congés d'études et de formation.

Unique

A woman complained that a well-known retail firm discriminated against her in employment on the grounds of race, colour, ancestry and place of origin.

When the parties discussed the matter through the rapid case process, a settlement that satisfied both the complainant and the respondent was quickly arrived at.

The company's legal counsel acknowledged that the entire process was a unique learning experience for him, and he wanted his name to be included on the mailing list of the commission's publications (annual report. *Affirmation*, etc.). Needless to say, this was done.